

Appln. No.: 10/520,247  
Amendment Dated June 4, 2007  
Reply to Office Action of February 2, 2007

FKC-106US

**Amendments to the Drawings:**

The attached sheet(s) of drawings include(s) changes to FIGS. 1-4. These sheets replace the original sheets.

Attachment

**Remarks/Arguments:**

Claims 1-5, 9 and 14-16 are pending and stand rejected.

By this Amendment, claims 1-3, 9 and 14-16 are amended and new claims 17-19 are added. Support for the claim amendments and new claims can be found throughout the original specification and, for example, in the original specification at pages 10-13 and FIGS. 3 and 4. No new matter is presented by the claim amendments and new claims.

**Objection to the Abstract**

In the Office Action, at items 1-3, the Abstract is objected to as including improper language.

Applicants have amended the Abstract to overcome this objection. Applicants have attached on a separate sheet a clean version of the new Abstract to comply with 37 C.F.R. 1.52(b)(4).

Reconsideration is respectfully requested.

**Drawing Objections**

In the Office Action, at item 5, the drawings are objected to because each of the FIGS. 1-4 comprise two separate figures showing the invention from different angles.

Applicants have attached replacement sheets for FIGS. 1-4 labeling each of the different angles separately.

Moreover, Applicants have amended the specification in accordance with the labeling of these FIGS.

Reconsideration is respectfully requested.

**Specification Objections**

In the Office Action, at item 6, the disclosure is objected to for informalities relating to the inconsistent use of the terms "first" and "second" in the specification and claims.

Applicants have amended the claims consistent with the use of the terms "first" and "second" in the specification.

It is submitted that the objection to the disclosure is overcome.

Reconsideration is respectfully requested.

**Rejection of Claims 1-4, 9, and 15 under 35 U.S.C. §112, second paragraph**

In the Office Action, at item 8, claims 1-5, 9 and 14-16 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite.

Applicants have amended claims 1, 2 and 15-16 to overcome this objection.

Reconsideration is respectfully requested.

**Rejection of Claims 1-4, 9 and 15 under 35 U.S.C. §102(b)**

In the Office Action, at item 10, claims 1-4, 9 and 15 are rejected under 35 U.S.C. § 102(b) as being anticipated by Dunn (U.S. Patent No.: 4,354,603).

Reconsideration is respectfully requested.

**Claim 1**

Claim 1 is directed to an apparatus for handling objects, each object having an aperture therein defining a rim, and recites "during said engagement with said rim, said first set of jaws and said second set of jaws each exerts a radial gripping force on said rim." That is, the apparatus recited in claim 1 does not rely on gravity to hold the objects in place because each of the sets of jaws exerts a radial gripping force on the rim.

**Dunn Reference**

Dunn discloses a disc stacker 10 intended for stacking discs in a vertical column. That is, for example, initial disc 46 is lowered onto teeth 20' of rack members A1-A3 (i.e., it rests on the top of teeth 20') and is subsequently moved to the top of teeth 20''' of rack members A1-A3 (i.e., it then rests on the top of teeth 20'''). (See Dunn at column 3, lines 32-63.) The need for the vertical orientation of the Dunn device further reinforced by the disclosure of Dunn at

column 3, lines 56-61 in which discs are described as moving in a downward direction. Thus, discs stacker 10 is always vertically oriented and relies on gravity to hold discs in place. Further disc 46 and 48 of Dunn are clearly shown as **resting on top** of teeth 20' and 20''' in FIGS. 4-8. Moreover, Dunn shows in FIGS. 3A and 3B that the operating positions of rack members A1-A3 and B1-B3 are such that in the recessed position these rack members do not contact discs 46 or 48 and in the extended position rack members extend pass the aperture of the disc such that the discs can only rest on top of these rack members A1-A3 and B1-B3.

Thus, contrary to the recitation in claim 1, Dunn does not disclose or suggest "during said engagement with said rim, said first set of jaws and said second set of jaws each exert a radial gripping force on said rim," because the rack members (jaws) do not contact any rim of a disc 46 or 48 in a radial direction.

Accordingly, it is submitted that claim 1 patentably distinguishes over Dunn for at least the above mentioned reasons.

**Claims 2-4, 9 and 15**

Claims 2-4, 9 and 15, which include all of the limitations of claim 1, are submitted to patentably distinguish over Dunn for at least the same reasons as claim 1.

**Rejections of Claims 14 and 16 under 35 U.S.C. §103(a)**

In the Office Action, at item 12, claims 14 and 16 are rejected under 35 U.S.C. §103(a) as being unpatentable over Dunn.

Reconsideration is respectfully requested.

Claims 14 and 16, which include all of the limitations of claim 1, are submitted to patentably distinguish over Dunn for at least the same reasons as claim 1.

**Rejection of claim 5 under 35 U.S.C. §103(a)**

In the Office Action, at item 13, claim 5 is rejected under 35 U.S.C. §103(a) as being unpatentable over Dunn in view of Van Breen (U.S. Patent No.: 4,290,734), Carlton (U.S. Patent No.: 4,865,509), or Akagawa (U.S. Patent No.: 5,259,710).

Reconsideration is respectfully requested.

Claim 5, which includes all of the limitations of claim 1, is submitted to patentably distinguish over Dunn for at least the same reasons as claim 1.

#### **Van Breen Reference**

Van Breen does not overcome the deficiencies of Dunn. This is because, Van Breen does not disclose or suggest the recitation in claim 1 that "during said engagement with said rim, said first set of jaws and said second set of jaws each exerts a radial gripping force on said rim." Van Breen, similar to Dunn, discloses a disc stacking device intended for vertical use in which a magnetic disc 18 rests on top of nibs 63 and 64. (See Van Breen at column 3, lines 35-38 and FIG. 1.) That is, in the Van Breen stacking device, sets of jaws do not exert a radial gripping force on a rim.

#### **Carlton Reference**

Carlton also does not overcome the deficiencies of Dunn. This is because, Carlton does not disclose or suggest the use of first and second sets of jaws, as required by claim 1. In Carlton only three jaws are used to grip a disk.

#### **Akagawa Reference**

Akagawa also does not overcome the deficiencies of Dunn. This is because, Akagawa merely discloses the use of a single set of jaws.

Accordingly, it is submitted that claim 5 patentably distinguishes over Dunn in view of Van Breen, Carlton or Akagawa for at least the above-mentioned reasons.